

PUBLIC HEARINGS

Transcripts

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5 IN THE MATTER OF
6 PUBLIC MEETING AND COMMENTS ON
7 LOWER COLORADO RIVER
8 MULTI-SPECIES CONSERVATION PROGRAM
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15 Date: Tuesday, July 20, 2004
16 Place: Henderson Convention Center
17 Vista Room
18 200 South Water Street
19 Henderson, Nevada
20
21 Time: 6:30 p.m. to 8:30 p.m.

22 Reported by:
23 Jennifer Sullivan, RPR, CCR
24 Nevada CCR #818
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1 APPEARANCES:

2 For the Metropolitan
3 Water District of
4 Southern California:

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P R O C E E D I N G S

MR. VANDERHORST: Good evening everyone.
Welcome to the public hearing on the Lower Colorado River
Multi-Species Conservation Program. My name is Joe
Vanderhorst. I'm with the Metropolitan Water District of
Southern California, which is the lead agency for this
program, for purposes of the California Environmental
Quality Act.

We are co-lead agency with two Federal
organizations, The Bureau of Reclamation and the U.S.
Fish and Wildlife Service, are lead agencies for purposes
of compliance with the National Environmental Policy Act.

The purpose of our meeting tonight is to accept
public comments on the Draft Environmental Impact
Statement and Draft Environmental Impact Report for the
Colorado River -- Lower Colorado River Multi-Species
Conservation Program.

And what we're going to do, as far as the
process we're going to go through, is to give you a short
presentation so there's an outline of what the program is
all about, and then we're going to open it up for the
public comments.

The purpose of our meeting isn't to provide you
with the information which is contained in the documents

1 themselves, but it's to hear from you what your comments
2 are so that we can make the necessary changes to the
3 document and go final later on when the program is ready
4 for approval.

5 So we'll begin with a presentation that gives
6 an outline of the program, and Chris Harris, from the
7 Colorado River Board of California, is going to make that
8 presentation, and then we'll open it up for public
9 comments.

10 As you can see, we have a shorthand reporter
11 here tonight, and so we will have a transcript of all the
12 comments that we receive, and that way we'll be able to
13 consider them as we finalize the environmental documents.

14 When you make your public comments, what we
15 would ask that you do is begin by stating your name and
16 spelling it for the shorthand reporter and giving us your
17 address. And we ask that you speak clearly so that your
18 statement can be taken down accurately.

19 And we're also going to ask for everybody to
20 not go over more than five minutes so that we don't go
21 too long tonight and everybody gets a chance to give us
22 their comments.

23 If you have additional comments that you want
24 to make and you feel that five minutes isn't enough, you
25 can always submit additional comments in writing. The

1 addresses are on the chart on the table as you came into
2 the room. You can submit additional comments in writing.
3 Even if you make a verbal comment tonight, you can do
4 that.

5 So with that, we'll get underway and ask
6 Mr. Harris to give us a presentation on the program.

7 (A presentation was given
8 by Christopher Harris.)

9 MR. VANDERHORST: Thank you, Chris.

10 At this point, we will open the floor up for
11 any comments that anyone would like to make on the
12 environmental documents for the Lower Colorado
13 Multi-Species Conservation Program.

14 Do we have any members of the public here who
15 would like to make a comment?

16 JOHN HIATT: Thank you for this opportunity to
17 comment on the programmatic EIS for the Lower Colorado
18 River Program. My name is John Hiatt, H-i-a-t-t. I'm
19 here representing the Red Rock Audubon Society of which
20 I'm a conservation chair.

21 The Colorado River is essentially the desert
22 river in the southwest for Arizona, California and Nevada
23 in terms of the lower Colorado River. And when I heard
24 about the process originally for a habitat conservation
25 plan, I was excited and thrilled because there's so many

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1 opportunities to do something with this river. But when
2 I look at this document, I am horribly disappointed and
3 saddened to see it. There is really no vision here for
4 where we will be in 50 years. We're proposing to restore
5 some 8,000 acres of habitat in 50 years. That's
6 160 acres a year. We're losing more habitat than that
7 every year to salt cedar and other invasive species.
8 With what's being planned here, we will be lucky to be
9 even 50 years from now with where we are today.

10 So I think that really we need a vision for
11 what we want this place to look like and what we're going
12 to do, and I don't see it here in this document.

13 What I see is prescriptions for much
14 single-species management. We're going to do something
15 for one species of fish here; we're going to do something
16 for a species of birds over here, but we don't actually
17 look anyplace and say, how are we going to restore a
18 complex ecosystem so that all the components are there
19 and we can have everything for at least a small section
20 of the river? I don't see that anywhere in here.

21 We allude to the Law of the River and how the
22 Law of the River prevents really doing anything. There
23 is no document that was written in the 1920's anywhere in
24 the world that I'm aware of which can provide a
25 reasonable prescription for solving today's problems when

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1 it comes to natural resource management. And the Law of
2 the River was not written with the idea of preserving
3 anything in terms of natural habitat. The Law of the
4 River is an obstacle to solving problems at this point in
5 time, and we will have to change it. And it's so
6 outmoded in terms of even its recognition of what annual
7 flows are.

8 It's going to have to be changed, but everybody
9 is afraid, except Nevada, that they're going to lose
10 something when they change it, so they don't want to
11 change anything. But we're going to have to change that
12 document. We are going to have to make it modern so that
13 it addresses not only the needs of people in the states
14 which share the Colorado River, but it also can address
15 the needs for fish, birds, animals and the wild species
16 which share the river.

17 So those are my comments about this document.
18 I certainly recognize that there will be individual EA's
19 or EIS's addressing each one of the particular projects
20 along the river, but someplace we need a cohesive vision
21 for what we would expect as we go ahead over the next
22 50-year period. Thank you.

23 MR. VANDERHORST: Thank you very much. Is
24 there anybody else, any other members of the public that
25 would like to make a verbal comment at this time?

1 (No response was given
2 by the audience.)

3 MR. VANDERHORST: Okay. We will accept written
4 comments, and we do have written comment forms here
5 tonight, which you can fill out if you want to fill them
6 out here tonight and leave them with us, or you can feel
7 free to mail in either a written comment form or your own
8 letter. You can be as voluminous as you like in your
9 comments in writing and send those in. We will accept
10 those until August 18th, is the deadline for getting
11 comments in.

12 Yes, ma'am?

13 H. HIATT: I'd like to ask a question for
14 clarification. Obviously haven't done my homework,
15 haven't read the document. The covered species -- is the
16 permit going to be for the covered species and the
17 evaluation species?

18 MR. VANDERHORST: No, the permit is only for
19 covered species, and that is the Section 10 permit that
20 is authorized under Section 10 of the Endangered Species
21 Act.

22 H. HIATT: So it's like the Clark County
23 Multiple-Species Conservation Plan?

24 MR. VANDERHORST: Yes, that's correct.

25 All right. Thank you all for being here

1 tonight. We appreciate your interest in the Program.

2 (The public hearing was
3 concluded at 8:30 p.m.)
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1 CERTIFICATE OF REPORTER

2 STATE OF ARIZONA)
3) ss
4 COUNTY OF MOHAVE)

5 Be it known that the foregoing public hearing
6 was taken before me, Jennifer Sullivan, an RPR, Arizona
7 CCR and Nevada CCR, in the matter of the Lower Colorado
8 River Multi-Species Conservation Program, commencing on
9 Tuesday, July 20, 2004, from 6:30 p.m. to 8:30 p.m.

10 That I thereafter transcribed my said shorthand
11 notes into typewriting and that the typewritten
12 transcript of said public hearing is a complete, true and
13 accurate transcription of my said shorthand notes taken
14 down at said time.

15 Dated at Lake Havasu City, Arizona, this 26th
16 day of July, 2004.

COPY

Jennifer Sullivan

18 Jennifer Sullivan, RPR, CCR
19 Nevada CCR #818 / Arizona CCR #50706